



Congressman Pedro R. Pierluisi
Opening Statement
Markup of H.R. 2499, the Puerto Rico Democracy Act of 2009
Committee on Natural Resources
July 22, 2009

Thank you Chairman Rahall. Thank you for calling today's markup, for your strong support of H.R. 2499, and for all you have done to advance the cause of self-determination for the people of Puerto Rico. My constituents—and I—owe you a debt of gratitude.

H.R. 2499 is a simple bill designed to address a longstanding problem. For 111 years, the four million U.S. citizens of Puerto Rico have lived under the U.S. flag, enriching the life of this nation in many ways. For generations, the Island's sons and daughters have fought proudly alongside their fellow citizens in the states to protect freedom and democracy around the world. Many have given their lives in defense of these values. Many more have borne the scars of their service to this great country.

Puerto Rico was ceded to the United States in the treaty that ended the Spanish-American War in 1898. In 1917, a federal statute conferred citizenship on individuals born in Puerto Rico. And in the early 1950s, Congress authorized the Island to adopt a local constitution. Nonetheless, Puerto Rico remains a territory of the United States subject to congressional authority under the Territorial Clause of the Constitution. Under the current status, residents of Puerto Rico are

bound by federal law but do not have voting representation in the federal government. And they can be—and often are—treated less than equally compared to residents of the states with respect to federal programs.

Since joining the American family over a century ago, the Island's residents have never expressed their views—in the context of a fair and meaningful process sponsored by Congress—as to whether Puerto Rico should remain a U.S. territory or whether it should seek a non-territorial status. The bill before us would, for the first time, provide the people of Puerto Rico with the opportunity to be heard on this fundamental question.

H.R. 2499 authorizes the government of Puerto Rico to conduct an initial plebiscite. Voters will be asked whether they wish to maintain the current status or to have a different status. The rationale for this plebiscite is simple. In accordance with the American principle of government by consent, the 111th Congress should seek the meaningful consent of Puerto Rico to the political status it has had for 111 years.

If a majority favors the current status, the government of Puerto Rico would be authorized to ask voters this threshold question again in eight years. The purpose of this provision is for Congress to consult the people of Puerto Rico at reasonable intervals to obtain their continued consent to an arrangement that does not provide them self-government at the national level.

On the other hand, if a majority of voters cast their ballots in favor of a different political status, the government of Puerto Rico would be authorized to conduct a second plebiscite among the

three non-territorial status options recognized under U.S. and international law: independence, sovereignty in association with the United States, and statehood.

Independence is included on the ballot because it is a status option that would confer full self-government rights on the people of Puerto Rico. Although independence is supported by a small minority of the Island's electorate, advocates of this dignified option must be given the opportunity to express their view.

The second option on the ballot is sovereignty in association with the United States. This status option entails an agreement between two sovereigns that is not subject to the Territorial Clause of the Constitution. The terms of this agreement are subject to negotiation between the parties. This definition is consistent with the status proposal contained in the most recent platform of the Popular Democratic Party. Indeed, during the testimony at last month's hearing on H.R. 2499, witnesses from the PDP could not articulate any contradiction between the description of sovereign association contained in H.R. 2499 and their party's own status proposal.

The third option on the ballot is statehood. Statehood is a valid status option because it would enable residents of Puerto Rico to achieve self-government at the national level. Like Governor Fortuño, two-thirds of each chamber in the Puerto Rico legislature, and three-fifths of the Island's mayors, I support statehood for Puerto Rico. But I represent all of the people of Puerto Rico, not merely those who share my vision for the Island's future.

Accordingly, this bill provides for an impartial process of self-determination. It does not exclude or favor any valid status option. The legislation will ensure that the views of all the people are heard directly, and that these views are communicated to the President and to Congress. Whatever the outcome of this process may be, the process itself will be fair.

I want to close by expressing my gratitude to my colleagues in Congress and especially those on this Committee. As of this morning, H.R. 2499 had 161 co-sponsors: 110 Democrats and 51 Republicans. Of the 3,000-plus bills that have been introduced in the House this session, less than 20 have obtained this level of bipartisan support. The legislation is co-sponsored by members who have only a few (if any) constituents of Puerto Rican descent in their districts and also by members representing approximately 70% of the estimated 7.7 million Puerto Rican-Americans living in Puerto Rico and the states.

I thank my colleagues on the Committee and I respectfully ask you to join me in favorably reporting H.R. 2499 to the full House.